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Attorney for Appellant  
PARAVUE CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PARAVUE CORPORATION,  
  
Appellant,

v.

HELLER EHRMAN, LLP,  
  
Appellee.

) No. 3:14-cv-3887 CRB

) Hon. Charles R. Breyer

) **STIPULATED REQUEST FOR ORDER**  
) **CHANGING TIME OF BRIEFING**  
) **SCHEDULE**

) **ORDER**

Pursuant to Local Rule 7-12, Appellant PARAVUE CORPORATION and Appellee HELLER EHRMAN, LLP, by and through their respective undersigned counsel, stipulate and agree to an extension of the briefing deadline as follows:

Appellant's opening brief due: **February 2, 2015**

Appellee's brief due: **March 23, 2015**

Appellant's reply brief due: **April 6, 2015**

In support of this stipulation, the undersigned counsel for Appellant, James V. Weixel, states and declares as follows:

1           1.       I am an attorney at law licensed to practice before all courts of the State of California, and  
2 am a member of the bar of this Court. I am counsel of record in this proceeding for Appellant Paravue  
3 Corporation. I have personal knowledge of the matters stated in this Declaration and, if called to testify  
4 thereto, could and would do so truthfully and competently.

5           2.       I make this Declaration pursuant to Local Rule 6-2 in support of the parties' stipulation  
6 for an extension of the briefing schedule in this matter.

7           3.       By previous agreement of the parties and the order of the Court, Paravue's opening brief  
8 to this Court is due by January 2, 2015, Heller Ehrman's answering brief is due by February 13, 2015,  
9 and Paravue's reply brief is due by February 27, 2015.

10          4.       On December 1, 2015, only a week ago, I filed my substitution of counsel in this  
11 proceeding for Appellant Paravue Corporation. The Court approved my substitution the following day.

12          5.       As the Court is aware, this proceeding is an appeal from the denial of Paravue's two  
13 claims against Heller Ehrman, LLP's bankruptcy estate in the latter's Chapter 11 case. The case  
14 materials in this matter are voluminous and involve several years of filings and proceedings in the  
15 Chapter 11 case, as well as from Heller Ehrman's previous representation of Paravue in the preceding  
16 years. I will need some additional time to review these files in order to carry out my representation of  
17 Paravue in this appeal.

18          6.       The upcoming holiday season also weighs in favor of an extension of the briefing  
19 schedule. I will be out of the Bay Area from December 17 through 26, 2014 for the holidays. I have had  
20 this travel planned and my nonrefundable airline tickets booked for several months, well before I was  
21 ever contacted regarding the representation of Paravue.

22          7.       In light of my recent substitution and the upcoming holidays, as well as my preplanned  
23 travel out of the Bay Area for the holiday season, I believe that a short extension of the briefing schedule  
24 is appropriate. On December 4, 2015, I contacted counsel for Heller Ehrman in this proceeding,  
25 including Marjorie E. Manning, Esq., by email to request Appellee's agreement to such an extension.  
26 The following day, Ms. Manning responded by email and graciously agreed to a revised and extended  
27 briefing schedule as I had proposed. Ms. Manning asked for an additional week in which to file  
28 Appellee's brief, to which I agreed.

Appellant's opening brief due:	<b>February 2, 2015</b>
Appellee's brief due:	<b>March 23, 2015</b>
Appellant's reply brief due:	<b>April 6, 2015</b>

9. There has been one stipulation for an extended briefing schedule, which stipulation resulted in the current briefing schedule reflected in the Court's order filed November 10, 2014 (Doc. 8).

10. The requested extension would cause the briefing schedule in this matter to be extended by approximately one month with respect to Appellant's opening brief, and by approximately five weeks with respect to Appellee's brief and Appellant's reply brief.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 8<sup>th</sup> day of December, 2014, at San Francisco, California.

/s/ James V. Weixel  
James V. Weixel

## STIPULATION

Appellant Paravue Corporation and Appellee Heller Ehrman, LLP, by and through their respective undersigned counsel, stipulate and agree, and thereupon request that the Court enter an order accordingly, to change time to reflect an extension of the briefing deadlines as follows:

Appellant’s opening brief due: **February 2, 2015**  
Appellee’s brief due: **March 23, 2015**  
Appellant’s reply brief due: **April 6, 2015**

This stipulation is made upon the declaration of James V. Weixel, Esq., counsel for Paravue Corporation in this proceeding, as stated *supra*.

1 The parties stipulate and agree to this briefing schedule and request that the Court enter an order  
2 accordingly, pursuant to Local Rules 6-2 and 7-12.

3  
4 Dated: December 8, 2014.

**WEIXEL LAW OFFICE**

5  
6  
7 By: /s/ James V. Weixel  
8 James V. Weixel

9 Attorney for Appellant  
10 PARAVUE CORPORATION

11 Dated: December 8, 2014.

**BOLLING & GAWTHROP**

12  
13  
14 By: /s/ Marjorie E. Manning  
15 Marjorie E. Manning (by consent)

16 Attorney for the Post-Confirmation Liquidating Debtor,  
17 Appellee HELLER EHRMAN, LLP

18  
19 **ATTESTATION RE ELECTRONIC SIGNATURE(S)**

20 I, James V. Weixel, counsel for Appellant Paravue Corporation, hereby attest pursuant to Local  
21 Rule 5-1(i)(3) that the electronic signature(s) of other counsel and/or parties appearing above indicate(s)  
22 that concurrence in the filing of this document has been obtained from each of said counsel and/or  
23 parties, and that such electronic signature(s) serve(s) in lieu of said signature(s) on the document.

24 Dated: December 8, 2014.

**WEIXEL LAW OFFICE**

25  
26 By: /s/ James V. Weixel  
27 James V. Weixel

28 Attorney for Appellant  
PARAVUE CORPORATION

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

December 12, 2014

